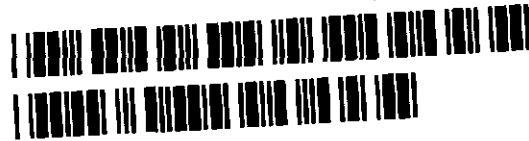


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09-CV-01799-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DURIELL JAMES SIDERS,

Plaintiff,

v.

OFFICER D. PASCO, et al.,

Defendants.

CASE NO. C09-1799-JLR-MAT

ORDER ON PLAINTIFF'S MOTION
TO AMEND COMPLAINT

The Court, having reviewed the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiff's motion to amend (Dkt.23) is GRANTED in part and DENIED in part;
- (3) Plaintiff's claims as they relate to the December 11, 2009 incident and his claims against Negron are DISMISSED;
- (4) Plaintiff's attempt to include claims against Tamura and Constantine are DENIED;

ORDER ON PLAINTIFF'S MOTION
TO AMEND COMPLAINT
PAGE -1

- 01 (5) Plaintiff is GRANTED leave to proceed with his second amended complaint as
02 containing a retaliation claim against Pasco, Stowers, and Woodbury; and
03 (6) The Clerk is directed to send copies of this Order to plaintiff and to Judge
04 Theiler.

05 DATED this ²⁰23 day of Feb., 2011.

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07 JAMES L. ROBART
08 United States District Judge
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